

Options

A – Current language with lot size adjustment

B -- Current language with limit of 10 in low density and 12 in all other zone districts

C -- Lower limits with a lot size adjustment

D – Different limits based on equity or rental without lot size adjustment

E – Different limits based on equity or rental with lot size adjustment

Option A – Current Limits with Lot Size Limitations

(d) A dwelling unit licensed as a Cooperative Housing Unit pursuant to Section 10-11-3 “Cooperative Housing Licenses,” B.R.C. 1981, shall not be subject to the occupancy limits set forth in this section. All such dwelling units shall be limited to no fewer than four occupants with the maximum number of occupants, without regard to whether the occupants are related or not, as follows:

(1) In the Rural Residential, Residential Estate and Residential Low Density zone districts to no more than 12 occupants, provided, however that occupancy shall not exceed more than one person per 250 square feet of habitable space;

(2) In all other zone districts to no more than 15 occupants provided, however that occupancy shall not exceed more than one person per 200 square feet of habitable space;

(3) The maximum occupancy’s set forth herein assume that the cooperative is located on a lot of 7000 square feet. The maximum occupancy shall be increased by one person for each 1000 feet of square foot of lot size above 7000 square feet. The maximum occupancy shall be decreased by one person for each 1000 square feet of lot size below 7000 square feet.

(4) The city manager may authorize a greater number of occupants in any Cooperative Housing Unit that is deed restricted as permanently affordable if the planning board after a public hearing recommends a greater number. Before making any such recommendation, the planning board shall consider the potential impacts on the surrounding community, the number of residents proposed, the proposed habitable square feet per person, the available off-street parking, and the mission of the cooperative.

Option B – Lower Limits Only

(d) A dwelling unit licensed as a Cooperative Housing Unit pursuant to Section 10-11-3 “Cooperative Housing Licenses,” B.R.C. 1981, shall not be subject to the occupancy limits set forth in this section. All such dwelling units shall be limited to no fewer than four occupants with the maximum number of occupants, without regard to whether the occupants are related or not, as follows:

(1) In the Rural Residential, Residential Estate and Residential Low Density zone districts to no more than 10 occupants, provided, however that occupancy shall not exceed more than one person per 250 square feet of habitable space;

(2) In all other zone districts to no more than 12 occupants provided, however that occupancy shall not exceed more than one person per 200 square feet of habitable space;

(3) The city manager may authorize a greater number of occupants in any Cooperative Housing Unit that is deed restricted as permanently affordable if the planning board after a public hearing recommends a greater number. Before making any such recommendation, the planning board shall consider the potential impacts on the surrounding community, the number of residents proposed, the proposed habitable square feet per person, the available off-street parking, and the mission of the cooperative.

Option C – Lower Limits with Lot Size Limitations

(d) A dwelling unit licensed as a Cooperative Housing Unit pursuant to Section 10-11-3 “Cooperative Housing Licenses,” B.R.C. 1981, shall not be subject to the occupancy limits set forth in this section. All such dwelling units shall be limited to no fewer than four occupants with the maximum number of occupants, without regard to whether the occupants are related or not, as follows:

(1) In the Rural Residential, Residential Estate and Residential Low Density zone districts to no more than 10 occupants, provided, however that occupancy shall not exceed more than one person per 250 square feet of habitable space;

(2) In all other zone districts to no more than 12 occupants provided, however that occupancy shall not exceed more than one person per 200 square feet of habitable space;

(3) The maximum occupancy’s set forth herein assume that the cooperative is located on a lot of 7000 square feet. The maximum occupancy shall be increased by one person for each 1000 feet of square foot of lot size above 7000 square feet. The maximum occupancy shall be decreased by one person for each 1000 square feet of lot size below 7000 square feet.

(4) The city manager may authorize a greater number of occupants in any Cooperative Housing Unit that is deed restricted as permanently affordable if the planning board after a public hearing recommends a greater number. Before making any such recommendation, the planning board shall consider the potential impacts on the surrounding community, the number of residents proposed, the proposed habitable square feet per person, the available off-street parking, and the mission of the cooperative.

Option D – Different Limits

(d) A dwelling unit licensed as a Cooperative Housing Unit pursuant to Section 10-11-3 “Cooperative Housing Licenses,” B.R.C. 1981, shall not be subject to the occupancy limits set forth in this section. All such dwelling units shall be limited to no fewer than four occupants with the maximum number of occupants, without regard to whether the occupants are related or not, as follows:

(1) In the Rural Residential, Residential Estate and Residential Low Density zone districts to no more than 12 occupants in private equity cooperatives or not-for-profit rental cooperatives and no more than 10 occupants in rental cooperatives, provided, however that occupancy shall not exceed more than one person per 250 square feet of habitable space;

(2) In all other zone districts to no more than 15 occupants in private equity cooperatives or not-for-profit rental cooperatives and no more than 12 occupants in rental cooperatives, provided, however that occupancy shall not exceed more than one person per 200 square feet of habitable space;

(3) The city manager may authorize a greater number of occupants in any Cooperative Housing Unit that is deed restricted as permanently affordable if the planning board after a public hearing recommends a greater number. Before making any such recommendation, the planning board shall consider the potential impacts on the surrounding community, the number of residents proposed, the proposed habitable square feet per person, the available off-street parking, and the mission of the cooperative.

Option E – Different Limits with Lot Size Limitations

(d) A dwelling unit licensed as a Cooperative Housing Unit pursuant to Section 10-11-3 “Cooperative Housing Licenses,” B.R.C. 1981, shall not be subject to the occupancy limits set forth in this section. All such dwelling units shall be limited to no fewer than four occupants with the maximum number of occupants, without regard to whether the occupants are related or not, as follows:

(1) In the Rural Residential, Residential Estate and Residential Low Density zone districts to no more than 12 occupants in private equity cooperatives or not-for-profit rental cooperatives and no more than 10 occupants in rental cooperatives, provided, however that occupancy shall not exceed more than one person per 250 square feet of habitable space;

(2) In all other zone districts to no more than 15 occupants in private equity cooperatives or not-for-profit rental cooperatives and no more than 12 occupants in rental cooperatives, provided, however that occupancy shall not exceed more than one person per 200 square feet of habitable space;

(3) The maximum occupancy’s set forth herein assume that the cooperative is located on a lot of 7000 square feet. The maximum occupancy shall be increased by one person for each 1000 feet of square foot of lot size above 7000 square feet. The maximum occupancy shall be decreased by one person for each 1000 square feet of lot size below 7000 square feet.

(4) The city manager may authorize a greater number of occupants in any Cooperative Housing Unit that is deed restricted as permanently affordable if the planning board after a public hearing recommends a greater number. Before making any such recommendation, the planning board shall consider the potential impacts on the surrounding community, the number of residents proposed, the proposed habitable square feet per person, the available off-street parking, and the mission of the cooperative.